

DISTRICT OF SECHELT
Bylaw No. 279-01,2024

A bylaw to amend Vehicle Removal Bylaw No. 279, 1995

WHEREAS Under the *Community Charter Section 8*, Council may regulate all uses of or involving a highway or portion of it, and all uses of or involving a public place; and

WHEREAS Except as permitted by a bylaw, a person must not excavate in, cause a nuisance on, encumber, obstruct, injure, foul or damage any portion of a highway or other public place; and

WHEREAS Council may authorize the removal, detention or impounding of a chattel or obstruction unlawfully occupying a portion of a highway or public place and provide for a scale of fees, costs and expenses for their recovery either from the owner of the chattel, or by the sale of the chattel at public auction, or by action in a court of competent jurisdiction.

NOW THEREFORE, the Council of the District of Sechelt, in open meeting assembled, enacts as follows:

TITLE

1. This bylaw may be cited for all purposes as, "Vehicle Removal Amendment Bylaw No. 279-01, 2024".

AMENDMENTS

2. **Section 2. – DEFINITIONS**

The following definition is added:

Highway includes every highway within the meaning of the *Transportation Act, S.B.C. 2004, c. 44*, and every road, street, lane or right of way, other than arterial highways designed or intended for or used by the general public for the passage of vehicles, and every private place or passageway to which the public, for the purpose of the parking or servicing of vehicles, has access or is invited; and includes the roadway, shoulder, boulevard, ditch and sidewalk area and whatever lands lie between the property lines of the highway;

Section 3. (1) is deleted in its entirety and replaced with:

- (1) An abandoned vehicle that obstructs or unlawfully occupies a portion of a highway or public place may be removed, detained and impounded by the Bylaw Enforcement Officer, the Superintendent of Public Works or a member

of the local detachment of the R.C.M.P., in accordance with this Bylaw as it applies to all highways and public places within the District of Sechelt.

Section 5. is deleted in its entirety and replaced with:

Every person who violates a provision of this Bylaw or who suffers or permits a contravention of a provision of this Bylaw or who neglects to do or refrains from doing anything required to be done by any of the provisions of this Bylaw, shall be deemed as contravening this Bylaw and shall be liable to a fine set by Bylaw Notice Enforcement Implementation Bylaw No. 515, 2012, and its amendments, plus any additional costs and fees incurred by the District of Sechelt as a result of the offence.

Schedule "A" is deleted in its entirety and replaced with:

Towing and storage charges payable for the recovery of an abandoned vehicle are as follows:

- (1) If the abandoned vehicle is towed, the last registered owner or person who has custody of it shall pay the towing costs plus a \$50.00 administration fee.
- (2) If an abandoned vehicle is impounded and stored at the property of the towing contractor, the last registered owner or person who has custody of it shall pay the storage costs to the towing contractor plus a \$50.00 administration fee before the vehicle is released.
- (3) If an abandoned vehicle is impounded at property controlled by the District of Sechelt, the last registered owner or person who has custody of it shall pay the storage costs of \$25.00 per day plus a \$50.00 administration fee before the vehicle is released.
- (4) If an abandoned vehicle must be demolished or otherwise disposed of, the last registered owner or person who has custody of it shall pay the costs to the contractor performing the demolition.

PROVISIONS

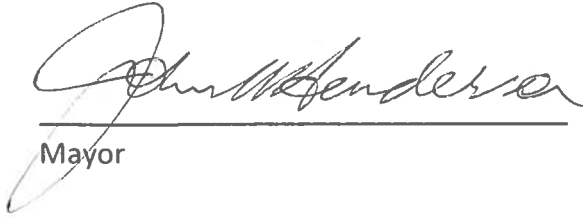
- 4. If any section, subsection or clause of this bylaw is for any reason held to be invalid by the decision of a court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

READ A FIRST TIME THIS	4 TH DAY OF	DECEMBER, 2024
READ A SECOND TIME THIS	4 TH DAY OF	DECEMBER, 2024
READ A THIRD TIME THIS	4 TH DAY OF	DECEMBER, 2024

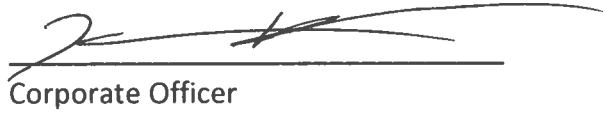
ADOPTED THIS

18th DAY OF

DECEMBER, 2024



Mayor



Corporate Officer

